ಶ್ರೀ ಎ. ಎಸ್. ನಾರಾಯಣರಾಯರು (ಬೆಂಗಳೂರು ನಗರ).—'Maunds' ಎಂಬುದಾಗಿ ಕೊಡಲಾಗಿದೆ, ತೂಕದ್ದು ಅಲ್ಲವೇ?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—ಹೌದು ತೂಕದ್ದು.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪನವರು (ಮೈಸೂರು ಜಿಲ್ಲೆ).—Comparative purchase price ಎಷ್ಟು?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—Purchase price ಉತ್ತರದಲ್ಲಿ ಕೊಟ್ಟಿದ್ದೇನೆ.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪನವರು.—ನಾನು ಕೇಳುತ್ತಿರುವುದು ಬೊಂಬಾಯಿ, ಮದರಾಸುಗಳಿಗೂ, ನಮಗೂ ಇರುವ comparative purchase price ಎಷ್ಟು?

The Hon'ble Sri T. MARIAPPA.—I want notice.

ಶ್ರೀ ಎಚ್. ಕೆ. ವೀರಣ್ಣಗೌಡರು (ಮಂಡ್ಯ ಜಿಲ್ಲೆ).—ಮೈಸೂರು, ಬೊಂಬಾಯಿ, ಮದರಾಸುಗಳ ಬೆಲೆ ಸರಿ ಸಮಾನವಾಗಿದೆ ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಎರಡು ರೂಪಾಯಿ ವ್ಯತ್ಯಾಸ ಇರುವುದು ಕಾಣುತ್ತದೆಯಲ್ಲಾ?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—

ಮೈಸೂರಿನಲ್ಲಿ	...	14—7—8 ರಿಂದ 17—2—10
ಬೊಂಬಾಯಿನಲ್ಲಿ	...	14—12—8 ರಿಂದ 19—6—0
ಮದರಾಸಿನಲ್ಲಿ	...	12—6—9 ರಿಂದ 19—0—9 ಇದೆ.

ಎಂದರೆ ನಮ್ಮದು favourable ಆಗಿದೆ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು (ತುಮಕೂರು ಜಿಲ್ಲೆ).—Favourable ಎಂದರೆ ಹೇಗೆ?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—ಬಾಕಿ ಕಡೆಗಳಿಗಿಂತ ಕಡಿಮೆ ಎಂಬುದು ಗೊತ್ತಾಗುತ್ತದೆ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಕಡಿಮೆ ಎಂದರೆ ಯಾರಿಗೆ?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—ಕೊಡುಕೊಳ್ಳುವವರಿಗೆ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಬೊಂಬಾಯಿ, ಮದರಾಸಿಗೆ ಹೋಲಿಸಿದರೆ ಬಹಳ ವ್ಯತ್ಯಾಸವಿರುವುದು ಗೊತ್ತಾಗುವುದಿಲ್ಲವೇ?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—ಬೊಂಬಾಯಿನ ಪರಿಸ್ಥಿತಿಗೆ ತಕ್ಕಂತೆ ಅಲ್ಲಿ ಬೆಲೆ ನಿಷ್ಕರ್ಷೆ ಮಾಡಿದ್ದಾರೆ. ನಮ್ಮ ಪರಿಸ್ಥಿತಿಗೆ ತಕ್ಕಂತೆ ನಾವು ಮಾಡಿದ್ದೇವೆ.

ಶ್ರೀ ಡಿ. ಎಚ್. ಚಂದ್ರಶೇಖರಯ್ಯನವರು (ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆ).—ಒಂದು ಮಣ ಅಕ್ಕಿಗೆ ನಮ್ಮ ಸೇರು ಎಷ್ಟು?

ಮಾನ್ಯ ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪನವರು.—ಎರಡು ಮಣ ಬತ್ತ ಎಂದರೆ ಒಂದು ಪಲ್ಲ ಬತ್ತ. ಒಂದು ಪಲ್ಲ ಬತ್ತಕ್ಕೆ 53 ಸೇರಿನಿಂದ 55 ಸೇರಿನವರೆಗೂ ಅಕ್ಕಿ ಆಗುತ್ತದೆ—ಒಂದು ಮಣಕ್ಕೆ ಅದರಲ್ಲಿ ಅರ್ಧ ಅಂದರೆ 27 ಸೇರು ಅಕ್ಕಿ ಆಗುತ್ತದೆ.

Mr. SPEAKER.—Question time is over.

UNSTARRED QUESTION

(to which answers were laid on the table).

Exemption of Food articles from levy of Sales-Tax

Q.*—144. **Sri W. H. HANUMANTHAPPA (Bangalore District—General).—

Will the Government be pleased to state:—

Whether it is a fact that many have represented to the Government to exempt articles of food, such as fruits vegetables, flesh including mutton from the levy of Sales-tax; if so, the action they propose to take?

A.—**The Hon'ble Sri H. C. DASAPPA** (Minister for Finance and Industries).—Yes. The question is under examination by Government in consultation with a Committee proposed to be constituted for the purpose.

Ruling on the point of order raised at the last Session *re*: procedure for taking Division.

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa).—Hon'ble Members will remember that on the 23rd January 1951, during the last Session of the Assembly, I put a question to the House for referring the Mysore Livestock Improvement Bill, 1951, to a Select Committee and judging from the sound of voices of members, I declared the motion as adopted. Janab Mahomed Imam demanded a division. As I considered from the volume of voices that the number of members voting against the motion was very small, I asked Hon'ble Members who were for and against the motion to successively rise in their seats and after a count declared the motion as carried by 46 votes against 5. Thereupon the Hon'ble Member Janab Mahomed Imam rose to object to the procedure adopted and said that the names of members who voted for or against the motion should be taken down and entered in the

(MR. SPEAKER.)

Proceedings. Several Hon'ble Members took part in the discussion that followed and I finally stated that I would examine the question in detail and give a decision.

As Hon'ble Members are aware, article 189 of the Constitution requires that all questions at any sitting of a House of the Legislature of a State should be determined by a majority of the votes of the members present and voting. In all legislative bodies the only two recognised forms of taking a vote are by voices and by division. In regard to a division it is no doubt the normal procedure for members to divide and proceed to different lobbies and thus declare themselves for or against the question before the House. Named lists of Members are taken down by tellers and entered in the Proceedings. But very early in the history of legislative bodies the need was felt for an exception to this requirement. It was felt necessary to vest power in the Presiding officer to prevent misuse of the right to claim a division merely for purpose of obstruction. In the House of Commons of England, until 1882 any two members could challenge the opinion of the Speaker and claim a division. In that year a standing order was passed under which, the Chair in certain circumstances and in respect of certain motions could take the vote of the House by calling upon the members who challenged his decision to rise in their places. In 1888 this Standing Order was replaced by another Standing Order according to which, if in the opinion of the Speaker or the Chairman a division was frivolously or vexatiously claimed he could adopt the procedure of asking Members to rise in their seats or proceed to take a division in the usual way. But where he adopted the shorter procedure of asking Members to rise in their seats, their names had to be taken down and printed in the division lists. In 1919 this Standing Order was amended and as amended is still in force. It runs as follows :—

"31. Mr. Speaker or the Chairman may, after the lapse of 2 minutes, if in his opinion the division is unnecessarily claimed, take the vote of the House or Committee by calling upon the members who support and who challenge his decision successively to rise in their places and he shall there upon as he thinks fit either declare the determination of the House or Committee or name tellers for a division."

The two important changes made in 1919 was that the Speaker could adopt the shorter procedure where a division was in his view unnecessarily claimed and not only where it was frivolous or vexatious. Secondly, the practice of taking down names was given up. Nowadays neither names nor numbers are announced though the numbers of the minority appear in the Journal. The first occasion when this new standing Order as amended in 1919 was put to use was in Committee on the 10th March 1921. The Parliamentary Debates for that day do not indicate either the number or the names of those who voted. It merely says :—

"The Committee proceeded to a division and the Chairman stated that he thought the Ayes had it and on his decision being challenged it appeared to him that the division was unnecessarily claimed and he, accordingly called upon the members who supported and who challenged his decision successively to rise in their places and he declared the 'Ayes' had it."

The Parliament of India has also adopted the same practice and sub-rule (3) of their rule 170 is as follows :—

"(3) If the opinion of the Speaker as to the decision of a question is challenged, he may, if he thinks fit, ask the members who are for 'Aye' and those for 'No' respectively to rise in their places and on a count being taken he may declare the determination of the House. In such a case, the names of the voters shall not be recorded." Sub-rule (4) proceeds to state that if the Speaker does not adopt this course, he shall then order a division.

I trust that what I have stated above will indicate that the procedure followed on the occasion in question is the procedure followed in other legislatures and is regular and in order. The purpose of a vote, either by division or by voices, being merely to determine the sense of the House, where the vote by voices clearly indicates that the difference between the number of members who vote for and those who vote against a question is overwhelmingly large, a division would be naturally unnecessary, unless it be in exceptional circumstances. But I can

assure Hon'ble Members that they may be sure that the Chair will always safeguard the rights of Members and in cases where it feels that a division is necessary, it will always proceed to take a division in the approved manner. I hope I will not be mistaken if I also remind Hon'ble Members that they owe a duty to the House not to "unnecessarily claim" a division in the language of the Standing Orders of the House of Commons.

Request for holding the sittings in the Mornings.

Janab J. MAHMOOD SHARIFF Mysore *cum* Mandya *cum* Hassan—Muslim).—May I ask one question, Sir? Has the Hon'ble Leader of the House considered the desirability of holding the Session in the mornings? He said that he would consider the matter.

***The Hon'ble Sri K. CHENGALARAYA REDDY** (Leader of the House).—There is some difficulty in the matter of holding the Session in the mornings. The Secretariat hours are from 11 to 5 P.M., and that aspect has to be considered. If the Session is to be held in the mornings, naturally the Secretariat will have to be held in the mornings. That aspect has created some complication. Let us therefore see what is feasible in regard to this and it may take some time before we can come to a decision.

LEGISLATIVE BUSINESS

The Mysore Cattle Tresspass (Amendment) Bill, 1951

Motion to consider.

The Hon'ble Sri T. MARIAPPA (Home Minister).—Sir, I beg to move :—

"That the Mysore Cattle Trespass (Amendment) Bill, 1951, be taken into consideration."

Sir, this is a very simple measure. The idea is to take power to substitute another section to section 12 of the Mysore Cattle Trespass Act of 1871. Numerous representations have been made to the Government that stray cattle have been responsible for damage of crops and that the present arrangement is inadequate to meet the increasing menace by these stray cattle. Therefore, Sir, section 12 has to be substituted by a new clause by which the Government will take power to indicate the quantum of fine by means of notification. This is all the measure and even the Government of India had suggested that the punishment should be very deterrent so that the people can keep their cattle under check. I think that the measure will be accepted by this House.

Mr. SPEAKER.—Motion moved ;

"That the Mysore Cattle Trespass (Amendment) Bill, 1951, be taken into consideration."

Sri Kadidal MANJAPPA (Shimoga District—General)—The cattle pound keepers may levy fine according as they desire.

The Hon'ble Sri T. MARIAPPA.—According to the scale prescribed by the Government.

Mushir-ul-Mulk J. MOHAMED IMAM (Chitaldrug *cum* Tumkur—Muslim).—Sir, I am sorry I have to strike a discordant note. The procedure prescribed is cumbersome. Secondly, the revenue that was till now going to the local body under this Act will be taken over by the Government. Anyhow, that is not made clear. Thirdly, to prevent stray cattle this.....

The Hon'ble Sri T. MARIAPPA.—There is no change with regard to the levy of fine or the information being sent to the Magistrate of the District. If you can look into section 12, it is only the first portion that is sought to be amended.

Janab J. MOHAMED IMAM.—Let me express my views. Till now, under the Cattle Trespass Act, the Government's function was to sanction a cattle pound for a particular area. Its management or administration was entrusted either to the concerned local body, *i.e.*, the Municipality or the Village Panchayet if the cattle pound existed in a village. The enhancement of the cattle fee was left to the discretion of these local bodies. Perhaps in some cases it had